

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Securities and Exchange Commission,

Plaintiff

v.

Matthew Wade Beasley, et al.,

Defendants

The Judd Irrevocable Trust, et al.,

Relief Defendants

Case No. 2:22-cv-00612-CDS-EJY

**Order Accepting Seventh Status Report
Granting the Seventh Quarterly
Applications for Payment of Fees and
Reimbursement of Expenses of Receiver,
Receiver's Counsel, and Granting Receiver's
Litigation Support Consultant for the
Period of October 1, 2023 through
December 31, 2023**

[ECF Nos. 637, 641, 644, 645]

The court-appointed Receiver, Geoff Winkler, submitted his Seventh Status Report on January 31, 2024. ECF No. 637. The court held a hearing on the report and related applications and motions (ECF Nos. 641; 644; 645) on March 25, 2024. *See* Min. of Proceedings, ECF No. 660. The court finds that notice was proper for all pending motions, and there were no objections or oppositions to any of the motions or applications. *Id.*

At the March 25 hearing, the court expressed concern about the large quantity of funds sought in the application for fees and reimbursement for the Receiver, Receiver's Counsel, and Receiver's Litigation Support Consultant. Initially, the court was inclined to reduce payment. The Receiver asked the court to reconsider that decision and proffered additional information during the hearing explaining why the fees and costs were higher this quarter. Specifically, the Receiver advised that his team spent a significant amount of time completing a forensic accounting for another related action¹ which made the fees and costs significantly higher than past applications. The Receiver also represented that his team was required to complete initial forensic accounting by January of 2024 to make then-applicable disclosure deadlines, which required the Receiver to pull staff from other cases to work on this case within the last quarter. Further, the Receiver advised the court that future applications will not include similar, high

¹ *See* ECF No. 637 at 8–9 (discussing *In Re J&J Investment Litigation*, 2:22-cv-00529-GMN-NJK).

1 value requests because the forensic accounting is completed, and noted that the forensic
2 accounting that was completed for the related action, will also be utilized in this action. Having
3 considered the application, together with the additional information proffered during the March
4 25 hearing, I find good cause to accept and approve the status report and the Receiver's
5 application for fees and costs in its entirety. Accordingly,

6 IT IS HEREBY ORDERED that the omnibus Seventh Quarterly Status Report and the
7 actions of Receiver Geoff Winkler (ECF No. 637) is accepted and approved in its entirety.

8 IT IS FURTHER ORDERED that the motion to approve seventh quarterly applications
9 for fees and reimbursement for expenses for the Receiver, Receiver's Counsel, and Receiver's
10 Litigation Support Consultant for October 1, 2023 through December 31, 2023 [ECF No. 645] is
11 granted.

12 IT IS FURTHER ORDERED that the receivership should continue under the terms set
13 forth in the Order Appointing Receiver (ECF No. 88).

14 IT IS FURTHER ORDERED that the Receiver is authorized to continue administering
15 the receivership entities and their estate in accordance with the terms of the Order Appointing
16 Receiver, to undertake the recommendations presented in the Seventh Status Report, including
17 continued engagement of professionals he deems necessary for the proper administration of the
18 receivership entities and their estate, and to provide any other relief the court deems necessary
19 and appropriate to fulfill his duties.

20 The Receiver also filed the Seventh Quarterly applications for fees and reimbursement of
21 expenses for the Receiver, Receiver's Counsel Greenberg Traurig, LLP, Aitheras, LLP, Baker Tilly
22 US, LLP, and Semenza Kircher Rickard for October 1, 2023 through December 31, 2023 (ECF No.
23 644) and the Seventh Quarterly Applications for Fees and Reimbursement of Expenses for
24 Receiver and Receiver's Counsel (1) Allen Matkins Leck Gamble Mallory & Natsis, LLP and (2)
25 Semenza Kircher Rickard (ECF No. 641). Having reviewed the applications and accompanying
26 motions, and there being no objection thereto:

1 IT IS FURTHER ORDERED that the Seventh Quarterly applications for fees and
2 reimbursement of expenses for the Receiver, and Receiver's Counsel and Professionals
3 Greenberg Traurig, Aitheras, LLP, and Baker Tilly US, LLP (ECF No. 644); the Seventh
4 Quarterly Applications for Fees and Reimbursement of Expenses for Receiver and Receiver's
5 Counsel (1) Allen Matkins Leck Gamble Mallory & Natsis, LLP and (2) Semenza Kircher
6 Rickard for October 1, 2023 through December 31, 2023 (ECF No. 641) are approved and
7 **GRANTED** in their entirety.

8 IT IS FURTHER ORDERED that the following fees and costs are allowed:

9 (1) Receiver fees of \$865,848.50 and costs of \$3,319.01;

10 (2) Greenberg Traurig fees of \$103,524.99 and costs of \$13.80;

11 (3) Baker Tilly fees of \$8,793.00 and costs of \$296.82;

12 (4) Aitheras fees of \$17,752.00;

13 (5) Allen Matkins fees of \$93,283.50 and costs of \$7,930.98; and

14 (6) Semenza Kircher fees of \$2,704.50.

15 The Receiver is hereby authorized to pay 80% of the allowed fees and 100% of the
16 allowed costs incurred by the Receiver, Greenberg Traurig, Allen Matkins, and Semenza Kircher
17 from funds on hand in the receivership estate. The Receiver is further authorized to pay 100% of
18 the allowed fees incurred by Baker Tilly and Aitheras from funds on hand in the receivership
19 estate.

20 Dated: April 2, 2024

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22 Cristina D. Silva
23 United States District Judge
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